



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18th STREET, SUITE 300
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

SDMS Document ID



2046884

Ref: 8EPR-SR

March 15, 2006

CRAIG UPSTON
1474 S. EVANSTON STREET
AURORA, CO 80012

RE: 3449 COOK ST

Dear CRAIG:

The United States Environmental Protection Agency (EPA) has tested your property for arsenic and lead soil contamination as part of the Vasquez Boulevard/Interstate 70 (VB/I-70) Superfund Site.

Concentrations of Arsenic and/or lead found in your soil are high enough for your property to qualify for the removal action EPA is performing this year.

| <u>ADDRESS</u> | <u>EPA Cleanup Level</u> |
|-----------------------------|--------------------------|
| Lead | |
| 247 parts per million (ppm) | above 400 ppm |
| Arsenic | |
| 120 ppm | above 70 ppm |

EPA would like to remove the top layer of soil from your yard and replace it with clean soil. EPA will then re-landscape your yard to a condition similar to original. ***All work will be performed by EPA for free. EPA requires your consent to proceed as soon as possible. An Access Agreement that will allow the EPA to perform the soil removal work accompanies this letter. I strongly encourage you to sign this agreement and mail it back to the following address:***

US EPA – VB/I-70 Project Site
Attention: Victor Ketellapper
10 East 55th Avenue
Denver, Colorado 80216

Your property will be scheduled for soil removal provided we promptly receive the signed Access Agreement with a telephone number where you can be contacted. EPA will coordinate the soil removal activity with you to reduce any inconvenience to you. Upon completion of the cleanup, EPA will issue a letter stating that your property has been cleaned and that no further action is necessary.

Once the attached access agreement has been received, representatives of EPA will contact you to discuss the removal of contaminated soil from your property. In the meantime, if you have further questions regarding the removal of contaminated soil at your property, please contact us at (303) 487-0377.

Sincerely,

Victor Ketellapper
Remedial Project Manager
United States Environmental Protection Agency (US EPA)

Evergreen Analytical, Inc.

4036 Youngfield Street, Wheat Ridge, Colorado 80033-3862
(303) 425-6021

Client Sample ID: VB-3449-CK-01
Client Project ID: 213001.01
Date Collected: 2/9/06
Date Received: 2/10/06

Lab Work Order: 06-0876
Lab Sample ID: 06-0876-04
Sample Matrix: Soil

METALS

Method: SW6010

Prep Method: SW3050

Date Prepared: 2/17/06
Date Analyzed: 2/17/06

Lab File ID: 021706PM
Method Blank: MB-9270

Dilution Factor: 1
Lab Fraction ID: 06-0876-04A

| Analytes | CAS Number | Result | LQL | Units |
|----------|------------|--------|-----|-------|
| Arsenic | 7440-38-2 | 40 | 5.0 | mg/Kg |
| Lead | 7439-92-1 | 240 | 7.3 | mg/Kg |



Analyst



Approved

Qualifiers: B - Analyte detected in the associated Method Blank, value not subtracted from result
E - Extrapolated value. Value exceeds calibration range
H - Sample analysis exceeded analytical holding time
J - Indicates an estimated value when the compound is detected, but is below the LQL
S - Spike Recovery outside accepted limits
U - Compound analyzed for but not detected
X - See case narrative
* - Value exceeded the Maximum Contamination Level (MCL), TCLP limit, or if compound is undetected, LQL exceeds MCL.

Definitions: NA - Not Applicable
LQL - Lower Quantitation Limit
Surr - Surrogate

Print Date: 2/21/06

Evergreen Analytical, Inc.

4036 Youngfield Street, Wheat Ridge, Colorado 80033-3862
(303) 425-6021

Client Sample ID: VB-3449-CK-02
Client Project ID: 213001.01
Date Collected: 2/9/06
Date Received: 2/10/06

Lab Work Order: 06-0876
Lab Sample ID: 06-0876-05
Sample Matrix: Soil

METALS

Method: SW6010

Prep Method: SW3050

Date Prepared: 2/17/06
Date Analyzed: 2/17/06

Lab File ID: 021706PM
Method Blank: MB-9270

Dilution Factor: 1
Lab Fraction ID: 06-0876-05A

| Analytes | CAS Number | Result | LQL | Units |
|----------|------------|--------|-----|-------|
| Arsenic | 7440-38-2 | 120 | 5.0 | mg/Kg |
| Lead | 7439-92-1 | 380 | 7.3 | mg/Kg |



Analyst



Approved

Qualifiers: B - Analyte detected in the associated Method Blank, value not subtracted from result
E - Extrapolated value. Value exceeds calibration range
H - Sample analysis exceeded analytical holding time
J - Indicates an estimated value when the compound is detected, but is below the LQL
S - Spike Recovery outside accepted limits
U - Compound analyzed for but not detected
X - See case narrative
* - Value exceeded the Maximum Contamination Level (MCL), TCLP limit, or if compound is undetected, LQL exceeds MCL.

Definitions: NA - Not Applicable
LQL - Lower Quantitation Limit
Surr - Surrogate

Print Date: 2/21/06

Evergreen Analytical, Inc.

4036 Youngfield Street, Wheat Ridge, Colorado 80033-3862
(303) 425-6021

Client Sample ID: VB-3449-CK-03
Client Project ID: 213001.01
Date Collected: 2/9/06
Date Received: 2/10/06

Lab Work Order: 06-0876
Lab Sample ID: 06-0876-06
Sample Matrix: Soil

METALS**Method: SW6010****Prep Method: SW3050**

Date Prepared: 2/17/06
Date Analyzed: 2/17/06

Lab File ID: 021706PM
Method Blank: MB-9270

Dilution Factor: 1
Lab Fraction ID: 06-0876-06A

| Analytes | CAS Number | Result | LQL | Units |
|----------|------------|--------|-----|-------|
| Arsenic | 7440-38-2 | 22 | 5.0 | mg/Kg |
| Lead | 7439-92-1 | 120 | 7.3 | mg/Kg |



Analyst



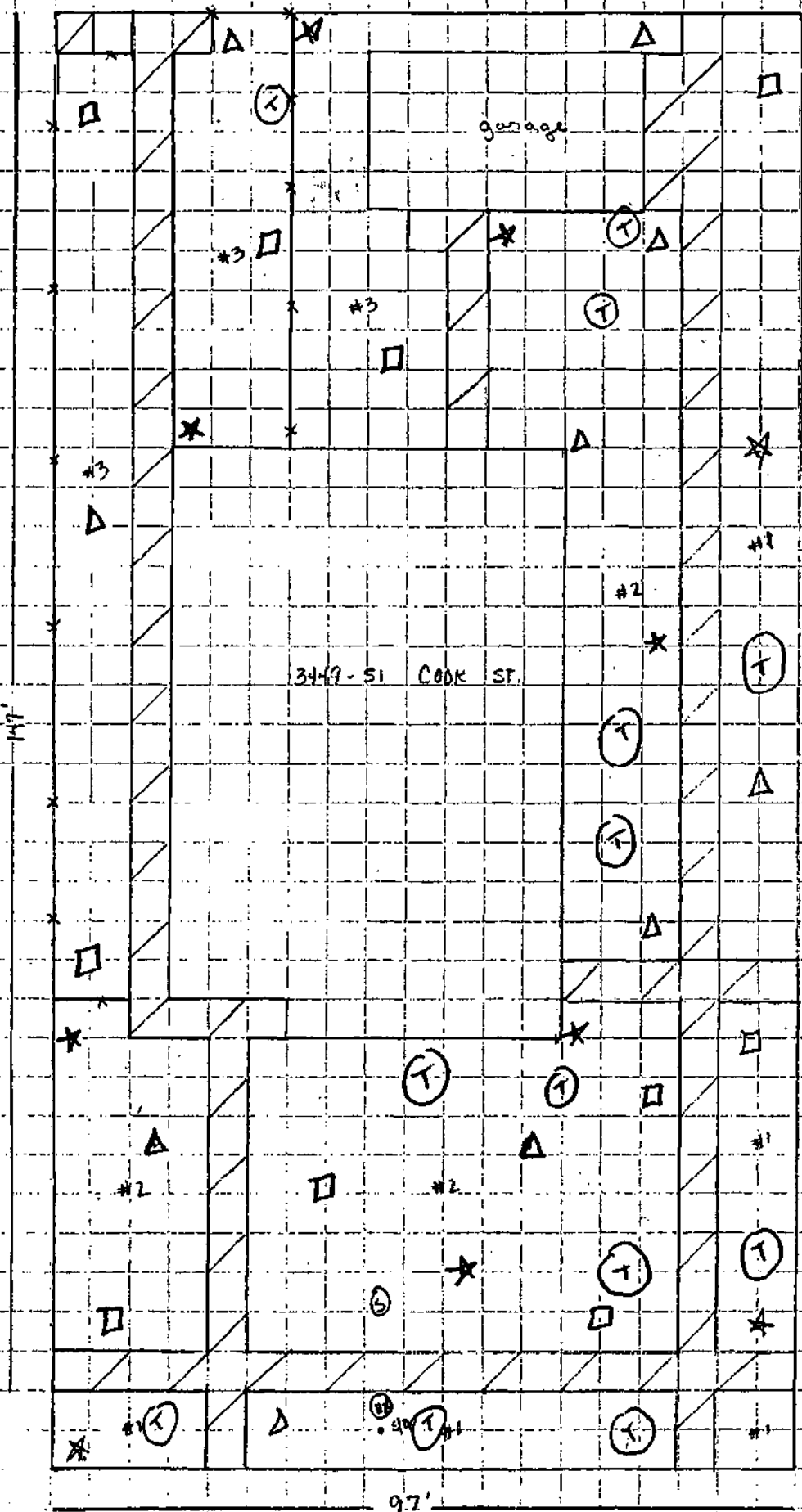
Approved

Qualifiers: B - Analyte detected in the associated Method Blank, value not subtracted from result
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X - See case narrative
* - Value exceeded the Maximum Contamination Level (MCL), TCLP limit, or if compound is undetected, LQL exceeds MCL.

Definitions: NA - Not Applicable
LQL - Lower Quantitation Limit
Surr - Surrogate

Print Date: 2/21/06

5
4'



| Section | Grid | Points |
|---------|------|--------|
| 01 | 100 | 7 |
| 02 | 194 | 14 |
| 03 | 121 | 9 |
| | 45 | 13.83 |

1325 □
 1330 △
 1335 ★
 1345 VB-1562-010-RBC

RK/m.v. 2/9
 1562

Consent For Access To Property

RIGHT OF ENTRY TO PREMISES

Grantor (the property owner) consents to and authorizes the United States Environmental Protection Agency (EPA) or its authorized representatives, collectively the Grantee, to enter and perform certain environmental response activities upon the following described premises:

| | |
|---|-----------------------|
| Owner's Name: CRAIG UPSTON | Phone: |
|---|-----------------------|

| | |
|---|------------------------------|
| Addresses of Properties covered by this Agreement: | Address: 3449 COOK ST |
| | Address: |
| | Address: |

PURPOSE OF RESPONSE ACTIVITIES

The EPA is requesting access to collect soil samples and remove soil that contains elevated concentrations of arsenic and/or lead and may pose a health hazard. The soil will be removed and the excavated area(s) will be replaced with clean materials and restored. This work is being performed under the Vasquez Boulevard/I-70 Superfund Site remediation program.

An EPA representative will contact the Grantor in-person to discuss the work to be performed. The Grantor will have an opportunity to review and approve the planned soil removal and restoration work before it begins. Once the work is finished, the Grantor will be asked to review the work and confirm that it is complete and meets with the Grantor's approval. Upon completion, the Grantor will receive written documentation from EPA that the property has been remediated.

ENVIRONMENTAL RESPONSE ACTIONS

By signing this Access Agreement, the Grantor is granting the EPA, its employees, contractors and subcontractors the right to enter the property, at all reasonable times and with prior notice, for the sole purpose of performing the work. This access shall remain in effect until the work has been satisfactorily completed. The Grantor also agrees to:

- Remove obstructions including boats, trailers, vehicles, playscape items, wood piles, dog houses, etc;
- Remove flower bulbs or plants that the Grantor or the Grantor's tenant may wish to save;
- Water and maintain replacement vegetation, including fertilizer application, as necessary subsequent to an initial watering period by EPA, unless watering is restricted by Denver Water Board;
- Abide by health and safety guidance provided by EPA;
- If the property is rented, assist EPA in obtaining tenant approval for access to the property to perform the work if EPA is unable to obtain such access; and
- Allow videotaping and/or photography of the property including exterior and interior areas of buildings.

AGREEMENT NOT TO INTERFERE

The Grantor agrees not to interfere or tamper with any of the activities or work done, or the equipment used to perform the activities, or to undertake any actions regarding the use of said property which would tend to endanger the health or welfare of the Grantees or the environment, or to allow others to use the property in such a manner.

Should you have any questions about this program, please contact the VB/I-70 Command Center at (303) 487-0377.

☐ I grant access to my properties

☐ I do not grant access to my properties

Signature

Date

Signature

Date

☐ I would like to be present during any sampling that is required.

☐ My property has a working sprinkler system that will need to be replaced.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

Victor Ketellapper

Phone 800-227-8917

<http://www.epa.gov/region08>

CONSENT FOR ACCESS TO PROPERTY

Name: **Craig Upston** (or current property owner)

Location of Property: **3449 Cook Street**

I consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to the above referenced property for the purpose of taking samples of soil on the Site.

I realize that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), 42 U.S.C. § 9601 *et seq.*

CRAG UPSTON
Printed Name

203-838-5396
Phone Number

Craig Upston
Signature

26 JAN 06
Date